

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

LEONARD WRIGHT,
Plaintiff,

DEMAND FOR JURY TRIAL

Case Number - 3:18cv208

-vs.-

EQUITYEXPERTS.ORG, LLC,
Defendant.

COMPLAINT AND JURY DEMAND

NOW COMES THE PLAINTIFF, LEONARD WRIGHT, THROUGH
COUNSEL, and for his Complaint against the Defendant pleads as follows:

JURISDICTION

1. This is an action for damages, brought against a debt collector for violating the Fair Debt Collection Practices Act at 15 U.S.C. § 1692 et seq. ("FDCPA").

VENUE

2. Venue is proper in the Eastern District of Virginia as the Defendant conducts business in the state of Virginia.

PARTIES

3. Plaintiff is a natural person residing in Chesterfield, Virginia. Plaintiff is a "consumer" and "person" as the terms are defined and used in the FDCPA.

4. The Defendant to this lawsuit is EquityExperts.Org, LLC, which is a Michigan company that maintains its principal place of business in Oakland County, Michigan.

GENERAL ALLEGATIONS

5. Defendant collected a consumer debt allegedly owed by Plaintiff to Kings Grove Homeowners Association, Inc. in the amount of \$1,350.00 (“the alleged Debt”).
6. Mr. Wright’s association dues are \$113, which he pays annually.
7. In September 2017, Mr. Wright fell behind on paying his association dues and the Association sent his account to Defendant for collections.
8. In November 2017, Defendant placed a lien on Mr. Wright’s home.
9. On December 20, 2017, Mr. Wright paid the alleged Debt in full.
10. On or about January 15, 2018, Plaintiff received a statement which showed that the Principal open balance was \$160.20. Further, the statement showed Defendant charged Mr. Wright the following excessive fees:
 - a. A “Dunning Letter VA” fee was charged on 09/18/2017 in the amount of \$270.00;
 - b. A “Lien VA” fee was charged on 11/19/2017 in the amount of \$395.00;

- c. A “Lien Fee VA Tom Hodges” fee was charged on 11/19/2017 in the amount of \$75.00;
 - d. An “Escalated Outreach (EDO) Service” fee was charged on 12/06/2017 in the amount of \$350.00; and
 - e. An “EDO 2” fee was charged on 12/13/2017 in the amount of \$100.00.
- 11.Mr. Wright has suffered pecuniary and emotional damages as result of Defendant’s actions.

COUNT I
VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT

- 12.Plaintiff reincorporates the preceding allegations by reference.
- 13.At all relevant times, Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting debts on behalf of other individuals or entities.
- 14.Plaintiff is a "consumer" for purposes of the FDCPA and the account at issue in this case is a consumer debt.
- 15.Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).
- 16.Defendant's foregoing acts in attempting to collect this alleged debt violated the following provisions of the FDCPA:

- a. 15 U.S.C. § 1692d by engaging in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt. Defendant violated this section of the FDCPA by charging excessive fees;
 - b. 15 U.S.C. § 1692e(2)(a) by misrepresenting the character, amount or legal status of any debt. Defendant misrepresented the amount of the alleged Debt and charged excessive fees;
 - c. 15 U.S.C. § 1692e(10) by using false representations and deceptive means to collect a debt. Defendant violated this provision by misrepresenting the amount of the alleged Debt and charging excessive fees; and
 - d. 15 U.S.C. § 1692f(1) by collecting any amount not permitted by law. Defendant violated this provision by misrepresenting the amount of the alleged Debt and charging excessive fees for the alleged Debt.
17. Plaintiff has suffered economic, emotional, general, and statutory damages as a result of these violations of the FDCPA.

WHEREFORE, PLAINTIFFS PRAY that this court grants him a judgment against Defendant for actual damages, costs, interest, and attorneys' fees.

DEMAND FOR JUDGMENT RELIEF

Accordingly, Plaintiff requests that the Court grant him the following relief against Defendant:

- a. Actual damages;
- b. Statutory damages; and
- c. Statutory costs and attorneys' fees.

JURY DEMAND

Plaintiff hereby demands a trial by Jury.

Respectfully submitted.

Dated: March 28, 2018

/s/ Jeremy C. Huang
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